

THE WESTERN CAROLINIAN.

B. AUSTIN & C. F. FISHER,
Editors and Proprietors.

SALISBURY, N. C., DECEMBER 20, 1839.

NO. XXVII. OF VOL. XX.
(Whole No. 1017.)

Salisbury Female Academy.



THE TRUSTEES OF THE SALISBURY FEMALE ACADEMY
Inform the public, that this Institution will be opened on Monday, the 14th of October next. It is their intention to place this Seminary on a permanent and respectable basis; and no care will be wanting on their part, to render it, in every respect, worthy of the confidence of the friends of education, morality and religion, who seek for their daughters a place where intellectual and moral culture combined, will prepare them to occupy with usefulness and dignity, the sphere to which they may be called.
They are now making all suitable efforts to secure for Teachers, a Gentleman and Lady of high qualifications. Meanwhile, they have engaged Miss Emma J. Baker, a young Lady, in whose literary qualifications and capacity for such a situation, they have perfect confidence; and who has hitherto taught music in this, and other Seminaries, with entire satisfaction. As soon as the other Teachers are obtained, Miss Baker will again devote herself exclusively to the musical department.

TERMS OF TUITION.
For beginners per session of 5 months, \$5 00
For the Rudiments with Grammar, Geography and History, 10 00
The above, with the higher branches in Literature, Department, 12 50
Music on the Piano or Guitar, 25 00
Painting, 10 00
Ornamental Needle-work, and the making of wax flowers will be also taught, if desired, at \$5 each.
By order of the Trustees,
THOMAS L. COWAN, Chairman.
Salisbury, Sept. 27, 1839. tf.

Western Stage



THE SUBSCRIBERS take pleasure in announcing to the public, that the GREAT WESTERN tri-weekly Stage Line from Salisbury via the Catawba Springs, Lincolnton, Rutherfordton, to Asheville, N. C. will commence running on the 3rd instant.
Departs from Salisbury, on Sundays, Wednesdays, and Fridays at 5 o'clock, A. M., arrives at Asheville on Monday, 9 o'clock, P. M.
Leaves Asheville for Salisbury, at 5 o'clock, A. M., on Sundays, Tuesdays, and Thursdays, arrives at Salisbury next day, 8 o'clock, P. M.
This Line for SPEED, GOOD DRIVERS, TEAMS, and COACHES cannot be surpassed by any line in the State. It connects with the DAILY LINE at Salisbury for the North, and at Asheville with the line to Knoxville, Tennessee.
Passengers leaving Raleigh, N. C. for the West will find this the nearest Route by 20 miles, and decidedly the cheapest.—And for fine roads, romantic scenery, particularly the Gap over the Blue Ridge, it is not excelled by any other in N. C.

A. BENCINI,
R. W. LONG.

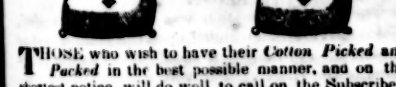
Salisbury, Nov. 1, 1839.

N. B. This Line, intersects the Line at Lincolnton for Greenville, S. C., via Spartanburg, and the Limestone Springs.

A. B. & R. W. L.

(*) The North Carolina Standard, and Knoxville (Tenn.) Argus, will insert the above advertisement weekly for four weeks, and forward their accounts to this Office.

Cotton Picking.



THOSE who wish to have their Cotton Picked and Packed in the best possible manner, and on the shortest notice, will do well to call on the Subscriber, who will himself attend personally to the business. His

GIN

is situated on the Wilkesboro' road, (Howard's Plantation), 4 miles north west of Salisbury, and is in excellent order, for receiving, PICKING and PACKING COTTON.

Planters and Merchants who will entrust their Cotton to his special charge, shall not go away dissatisfied.

R. N. CRAIG.

November 20, 1839. tf.

PIEDMONT HOUSE.

THE Subscriber having purchased this Establishment and fitted it in a style for the accommodation of Travellers and Boarders, is now prepared for their reception. His TABLE will always be furnished

With the best the market can afford; his BAR with a good supply of choice Liquors; his BEDS shall always be kept in fine order; and his Stables (which are very extensive) are well supplied with Provender of the first quality, and attended by good and faithful hostlers.

He hopes, by strict attention to the business, in person, to give satisfaction to all who may favor him with their patronage. And he only asks a call and trial.

ANDREW CALDCLEUGH.

Lexington, N. C., Feb. 21, 1839. 12

NEW ESTABLISHMENT.



IN MOCKVILLE, DAVIE COUNTY.

THOMAS FOSTER

INFORMS the public that he has removed from his former stand, to his new buildings on the public square, in the Town of Mockville, where he will continue to keep a HOUSE OF ENTERTAINMENT.

His House is roomy and commodious; attached to which are six comfortable Offices for gentlemen of the Bar, all convenient to the Court House. The subscriber pledges himself to the most diligent exertions, to give satisfaction to such as may call on him. His Table, Bar and Stables are provided in the best manner that the country will afford, and his servants are faithful and prompt.

Feb. 13, 1839. 74 tf.

FEMALE SCHOOL

HILLSBOROUGH.

THE Spring Session of Mr. and Mrs. BURWELL'S school for Young Ladies, will open on Monday, the 6th of January.

The course of study embraces all the branches of a good English education, the Latin and French languages.

Parents and Guardians are referred for particulars to either of the following gentlemen:

Hon. F. NASH, Hillsborough.

Dr. JAS. WEBB, Hillsborough.

JNO. W. NORWOOD, Hillsborough.

Hon. W. P. MANGUM, Orange.

Rev. D. LACY, Raleigh.

Rev. F. NASH, Lincoln.

Board can be had in the most respectable families, and parents wishing to place their daughters at school, can hear of boarding houses on application to us.

Music, Drawing and Painting will be taught by a well qualified and experienced teacher.

Terms as heretofore.

English studies, \$17 50

Latin, 10 00

French, 15 00

Music, 25 00

Drawing and Painting, 15 00

December 6, 1839. 4t.

THE SUBSCRIBERS

WOULD inform the public, that they still carry on the Tanning Business, and in connection with it, the BOOT and SHOE MAKING at their Tan Yard, on the 2nd Square, East of the Court House; where they have on hand a quantity of excellent Sole-Leather and Skirting, Harness, Bridle, and Upper Leather, Covering Leather for Coach-makers, and Horse Collars.—Also a large supply of BOOTS, of first and second quality; Gentlemen's, Ladies', and Children's SHOES, of a superior quality; and a large stock of coarse Shoes, of a superior quality.

As we have procured first rate workmen, we have no hesitation in warranting our work to be as well done as any in the State, which we will sell low for Cash, or on time to punctual dealers.

Orders from a distance punctually attended to.

Also, a first rate pair of Boot Trees, and a set of second handed Lasts for sale.

BROWN & CHAMBERS.

N. B. Hides will be taken in exchange for work done in the above business.

Salisbury, Sept. 6, 1839. 15t.

Moffat's Pills and Bitters.

THE LIFE GIVING PILLS AND PHENIX BITTERS, so celebrated, and so much used by the afflicted in every part of the country, is now received and for sale by the Subscribers.

CRESS & BOGER, Agents.

Messrs. SPRINGS & SHANLEY, in Concord, N. C., are also Agents for the same.

P. S. See advertisement.—April 4, '39. tf

Tailoring Business.

THE Subscriber keeps constantly on hand, a general assortment of

READY MADE CLOTHING,

for Gentlemen's wear, such as Coats, Pantalons, and Vests, of good

Goods,

well made and fashionable. He is also prepared to cut, and make clothing in the most fashionable and durable style, and warranted to fit. He, also, keeps a good assortment of Cloths, Cassimeres and Vestings of the first quality, selected by himself in the New York Market, all of which he will sell low for Cash.

N. B. He still continues to teach the art of Cutting garments on the most approved plans of the best Tailors in New York and Philadelphia.

(*) Cutting for customers done on the shortest notice, and orders from a distance attended to with despatch.—(*) His shop will be found in Mr. Cowan's large brick building.

BENJ. F. FRALEY.

Salisbury, May 2, 1839. tf

Heath Tract.

THE HEATH TRACT, containing six hundred Acres of Land, situated about six miles East of Lexington, Davidson Co. on the road leading from Lexington to Fayetteville is now offered for Sale.

There are about 100 acres improved, and 500 in Wood and Timber.

The Tract is located in a very

HEALTHY REGION,

and is peculiarly adapted to farming. It has on it a fine Orchard, and a good Meadow. And independent of these advantages, the prospect for Gold, is unquestionable, as one or two

GOLD VEINS,

have already been opened, and some very rich ore extracted from them.

The celebrated Conrad Gold Mine, is situated a few hundred yards south of it; and according to the direction of the Veins of that Mine, they must necessarily pass through a part of this Tract.

Any person wishing to view the premises or get a more minute description, will call on Rigdon Wadsworth, in Lexington, who will give the desired information; or any person wishing to contract for the same, will call on Dr. Austin, Salisbury; or address a Letter to the Subscriber, Trenton Post Office, Jones Co. N. C.

WM. A. HEATH.

Feb. 21, 1839. tf

NEGROES

FOR

SALE.

WILL be sold, on the 1st day of January, 1840, at the Store of Thomas & Jas. Cowan, Wood Grove, Rowan county, three negroes, one old

MAN AND WOMAN,

one Boy about sixteen years old, belonging to the heirs of William Young, dec'd., sold for distribution among said heirs.

(*) Terms made known on the day of Sale.

MATTHEW L. STEELE, Guardian.

December 12, 1839. 3t.

Lost.

A FINE GOLD WATCH, valued at \$175, the property of the Subscriber, and taken from John Mow's farm, in the town of Concord, Cabarrus county, on Saturday, the 23rd of November, out of the room first in the range of offices south of the Hotel. Description—Gold face, entirely figured, with unusually small gold hands, near the points of which there are small round holes, opens and winds on the back. Attached to which, when lost, was a pink Guard Chain, made of brand, with a Gold Key with steel pipe, ten extra jewels—the number not recollected. Any person finding said Watch, and lodging it at Concord, Salisbury, Charlotte, Lincolnton, or any of the neighboring villages, will be liberally rewarded for the same.

B. M. EDEY.

December 13, 1839. 4t.

DR. LEANDER KILLIAN,

RESPECTFULLY offers his professional services to the citizens of Salisbury, and the surrounding country. His office is in Mr. West's new brick building, nearly opposite J. & W. Murphy's store.

Salisbury, N. C., August 30, 1839. tf.

PAINTING.

THE Subscriber having located himself in the town of Concord, would now offer his services to the Public, as an

Ornamental and Sign Painter.

He flatters himself that his long experience in the above Business, and the specimens of work he has executed in his line, will be a sufficient recommendation.

He will also attend to any call made on him in the HOUSE PAINTING BUSINESS, and is confident he can give satisfaction to all who may employ him.

The Public is respectfully requested to call and encourage him, as he is determined to execute all work committed to him in the best possible manner.

(*) Also, Painting and Trimming all kinds of Carriages, done with neatness and despatch.

J. W. RAINEY.

Concord, N. C., March 21, 1839. tf

STILL LATER THAN EVER.

O. B. & C. Z. WHEELER.

Medicines, Dye-Stuffs, Tobacco, Sp. Sarsaparilla, Peppermint, Fennel, and other medicinal herbs, and a large stock of choice

Stuffs, Paints, Oils, Cigars, Candles, Rice, Sugar, Coffee, Tea, and other household

articles, at the lowest prices, and on the most liberal terms.

Salisbury, June 7, 1839. tf

Public Notice.

THE Subscriber, in conformity to recent instructions received from the North Carolina Gold Mine Company, takes this method to inform those interested, that hereafter all persons found trespassing upon the following Tracts of Land, belonging to said Company, situated in Davidson County, will be prosecuted according to the strict letter of the Law.

JOHN WARD, Agent.

Davidson, April 18, 1839.

LANDS:

Tract No. 1—containing 588 acres, lying on the four mile branch.

" 2—containing 992 acres, lying on the waters of the Flat Swamp.

" 3—containing 3,900 acres, lying on Lick creek, Flat Swamp, and Yadkin River.

" 4—containing 1,650, lying on Flat Swamp.

" 5—containing 697, lying on Lick creek.

" 6—containing 1,412, lying on Flat Swamp.

" 7—containing 600, lying on Lick creek.

" 8—containing 601, lying on Lick creek.

" 9—containing 1,997 acres, lying on Lick creek and Flat Swamp.

" 10—containing 1,353, lying on Lick creek.

" 11—containing 1,317, located on four mile branch and Jacob creek, adjoining the Lead mine.

To Journeymen Coach-Makers.

THE Subscriber will give steady employment to two good Journeymen Coach-makers, who can come well recommended for habits of sobriety and industry. Their business will be to make and repair Coaches, &c., for which, (if they suit) he will pay liberal wages.

JOHN P. MABRY.

Lexington, October 11, 1839. tf

New Foundry.

I HAVE lately completed and put in operation a large Iron Foundry at my mill on the South-Yadkin river (formerly Pearson's) in Davie county; where we are prepared to make all kinds of castings, such as the running works of cotton or woolen factories, cotton gins, grist and saw mills, thrashing machines, wind mills, plumer blocks, gudgeons, iron shafts, pulleys, drums, driving wheels, and, in short, every thing else that is usually made at Iron foundries. We are also prepared for turning shafts, &c., and for finishing and fitting up all kinds of machinery in this line of business. I have employed Jacob Wadsworth, formerly of Baltimore, a very skillful Mechanic, to superintend and manage my establishment. Mr. Wadsworth has worked all his life in establishments of this kind, and is distinguished for his skill as a Mechanic, and Millwright. He will also make calculations for water-wheels, mill-gearing, &c., and when the machinery is obtained from us, he will attend to putting it up. Our prices are those of similar establishments at the North. (*) Orders addressed either to Jacob Wadsworth or myself at Salisbury, will be promptly attended to.

CHARLES FISHER.

Salisbury, May 24, 1839. 4t

WANTED TO HIRE.

SOME able, stout Negro men, for the ensuing year, for whom liberal wages will be given.

Apply to J. & W. MURPHY.

Salisbury, December 6, 1839. 4t.

Twin Cot and Seed.

A small quantity of the above SEED, raised by Mr. A. William Thomas, formerly of Davidson County, is left for Sale at this Office, at \$2 00 per hundred.

November 1st, 1839. tf.

LAMPS, TRAINED AND OILS, LINED

For Sale by C. B. & C. K. WHEELER

Salisbury, Dec. 20, 1839. tf.

TWENTY-SIXTH CONGRESS.

FIRST SESSION.

IN SENATE,

Tuesday, December 10, 1839.

Mr. Allen, from the committee appointed to wait upon the President, reported that they had performed that duty; and the President informed them that he had communications of an Executive character to make.

Mr. Linn gave notice that, at the earliest day in which it would be in order to do so, he would ask leave to bring in a bill for the occupation of the Oregon Territory.

A message was received from the President of the United States.

The Senate went into Executive business, and then adjourned.

HOUSE OF REPRESENTATIVES.

At 12 o'clock, by the House clock, the Chair called the House to order, and stated that the question pending was upon the appeal taken by Mr. Vanderpool from the decision of the Chair, which decision was, that Messrs. Ayer, Hallett, &c., of New Jersey, were entitled to vote.

The Chair announced that Mr. Duncan of Ohio, was entitled to the floor upon this question—not having concluded his remarks on a former day.

Mr. Duncan not appearing in his seat,

Mr. Wier rose and said, if the gentleman from Ohio [Mr. Duncan] was in the House, he would not so what he was about to do; but if the gentleman was not in the House he would now move the previous question.

Mr. Dromgoole stated that there was a difference in the time between the House clock and the gentleman's timepiece, and he hoped his colleagues would wait a few minutes to see if the gentleman from Ohio would not come in.

Mr. Wier thought perhaps that the absence of the gentleman from Ohio was intentional, with a view of permitting the question to be taken; but if any gentleman would inform him that the gentleman from Ohio wished to address the House, he would wait with pleasure. In order that the gentleman might have an opportunity to come in, he hoped the Chair would leave the question to lie over a few minutes, or, if gentlemen requested it, he would withdraw the motion for the present, and move it afterwards.

Mr. Jenifer inquired of the gentleman from Virginia, if it was his intention to move the previous question immediately after the gentleman from Ohio had finished his speech, so that there might be no opportunity to reply to him; first to permit the gentleman to make a speech, and then move it to prevent its being answered?

Mr. Wier. I tell the honorable gentleman that I intend to move the previous question every time that I get the chance.

Mr. Jenifer. Then I now demand the previous question, for, if the gentleman is allowed to make a speech, the opportunity ought to be given to reply to it.

Mr. Wier hoped the Chair would pause a few moments until gentlemen's watches came up to the House time.

Mr. Dromgoole. Is it in order to move a call of the House?

Mr. Wier. There is no House to call.

Mr. Dromgoole. If there is no House, gentlemen ought to be solemnly called upon to be here to form a House.

Mr. Mercer said his own impression was that no injustice would be done to the gentleman from Ohio by moving the previous question, as there would be a dozen other questions to come up upon which the gentleman could finish his speech.

The Chair stated the course of proceeding on a call of the House, namely: The roll was called over, and the absentees noted; and in the present case, if the roll was to be called, the original question of difficulty would arise as to who should be called.

Mr. Dromgoole. Then this will bring the House to the question, which the House itself must eventually decide, as to who are its members.

Mr. Chinn. Then rose, and walking towards the Clerk's table, said there had been a great deal of difficulty in determining who were really members of this House, which had determined him as to the course which ought to be pursued. Sir, (said Mr. C.) I hold in my hand the authority by which I come here to represent the people of my State.—That authority I now present to the Chair, and demand to be enrolled as a member from the State of Louisiana; and I further propose, in the discharge of my duty as a Representative, to give in my vote for Speaker of the House. If the vote is to be by ballot, there is my ballot, (handing up the ticket); if viva voce, I vote for John Bell of Tennessee.

Mr. Dromgoole. Was not the gentleman's name enrolled before?

Mr. Chinn. No: it has neither been enrolled nor called by the Clerk.

Mr. Wier. It is now past twelve o'clock by the Administration time, and that must be right. I, therefore, now move the previous question.

A call of the House was demanded by several gentlemen.

The Chair stated that the roll of members had not been completed; therefore, a call of the House could not be made.

Tellers were then called for, and Messrs. Carter of Tennessee, and Griffin, were appointed tellers by the Chair.

The House then divided, and the previous question was seconded—ayes 110, noes 72.

The question then recurred on the question, "Shall the main question be now put?"

Messrs. Worthington and Taliaferro were ap-

pointed tellers, and the main question was ordered to be put—ayes 110, noes 48.

Mr. Worthington stated that three of the New Jersey members had voted on this question.

[Mr. Duncan now appeared in the House.]

Mr. Smith, of Maine, rose and stated, that the gentleman from Ohio [Mr. Duncan] was now in his seat, and he asked whether he should not now be permitted to proceed.

[Loud cries of "order!" "order!" "order!"

Mr. Duncan. I put a question of order to the Chair.

[Loud and repeated cries of "order!" "order!" "order!"

The question then recurred on the main question.

The Chair then stated the main question in substance as follows: Upon a motion to lay the resolution of the gentleman from Virginia on the table, the vote was about being taken by tellers. One of the tellers inquired who were entitled to vote from New Jersey, and the Chair had decided that those members holding the Governor's certificate were entitled to vote. From this decision an appeal to the House had been taken by the gentlemen from New York. The question now was, "Shall the decision of the Chair stand as the judgment of the House?"

The House then divided; Messrs. Worthington and Taliaferro acting as tellers; and the vote was—ayes 108, noes 114.

So the decision of the Chair was reversed.

Mr. Worthington stated that there were four members voting who held the Governor's certificate.

A number of persons called out, "How many were voting who held the certificates of the Secretary of State?" and Mr. Curtis answered "four."

Mr. Smith of Maine. It is no matter. It doesn't change the result.

The Chair then stated that it would be for the meeting to decide who should be called as members from the State of New Jersey.

Mr. Rickett inquired of the Chair if the question did not now recur on the motion made by him to lay the resolution of the gentleman from Virginia on the table?

The Chair stated that it would be the question if there was no other question in the way; but the question now was, who should be counted from the State of New Jersey, the decision of the Chair having been reversed.

Mr. Rickett asked if the question was not precisely this: A motion had been made by himself to lay the resolution of the gentleman from Virginia on the table. Upon a division on that question, the Chair had decided that the members from New Jersey having the Governor's certificate were to be counted. From that decision an appeal had been taken to the House; and the House had reversed the decision of the Chair. Then he asked if the House would not come back to the original motion to lay on

tellers were appointed; and when the House was about dividing, one of the tellers inquired who he should count from the State of New Jersey. The Chair decided that the tellers should count the members from that State who had the Governor's certificates. From this decision an appeal had been taken, and the House had reversed the decision of the Chair. Then, he apprehended, they stood precisely where they did when this appeal was taken; and the question now would be upon the motion to lay on the table; and he thought the proper course now would be for the tellers to count all who passed through, and if any of the disputed members should vote, let them report that fact to the House. He hoped that the Chair would direct the tellers to count all who passed through.

Mr. Saltonstall hoped that no such direction would be given.

The Chair said he had made his decision—that decision had been reversed; and it would now be for the House to decide who should represent the State of New Jersey.

Mr. Tillinghast thought the Chair ought not to put the question on the motion to lay on the table until the House had decided who should vote from the State of New Jersey. The appeal from the decision had been sustained, and it had been sustained, if we looked at the argument upon it, upon two grounds. One was that the matter was a proper subject for the House to determine, and the other was that the decision was incorrect, whether by the Chair or the House.

Mr. Torrey rose to a point of order. The question, as he understood it, was to lay the resolution of the gentleman from Virginia on the table; and the question to lay on the table, according to the rules, was not debatable.

The Chair said that the question as to who were to represent the State of New Jersey must first be decided, before the question to lay on the table came up.

Mr. Smith of Maine said that the Chair had directed that the gentlemen from New Jersey were entitled to vote. An appeal had been taken from that decision, and it had been reversed, and the gentleman from Rhode Island [Mr. Tillinghast] had attempted to give the reasons for this vote of the House; but he would tell the gentleman that the strongest reason which operated upon him, was the 34th rule of the House. He thought the House had a right to decide under that rule, when gentlemen were directly, personally, and immediately interested, that they should not vote. He believed that many other gentlemen besides himself had voted against the decision of the Chair in consequence of this rule.

Mr. McKay moved that none of the disputed members from New Jersey be permitted to vote until the question was decided.

Mr. Graves rose to a question of order. His point was this: there was a question before the House, and the previous question had been moved upon it; therefore, no gentleman had the right to bring up a separate and independent proposition until that question was disposed of.

The Chair said the previous question could not be put until this question as to who should represent the State of New Jersey should first be decided.

Mr. McKay then moved that neither set of members from New Jersey shall vote until the question who shall vote from the State of New Jersey shall be first decided by the House. He contended that this was the proper course to be pursued, and read an extract from Hatzell in support of his position. It was the uniform practice in the British Parliament, when seats were contested, that both parties should withdraw until their case was decided by those who were not personally interested in the matter. This was the only correct and proper course to be pursued, and he hoped his proposition would be agreed to by the House. He also referred to the case of Howell and Everett of Rhode Island, in the continental Congress, which had been cited by the Chairman, and showed that the Rhode Island members did not vote on their own case in the first instance. Subsequently, however, they did vote upon such questions as were presented.

Mr. Proffit rose to appeal from the decision of the Chair. ["What decision?" from different parts of the House.]

Mr. W. C. Johnson rose and stated that he held in his hand a series of resolutions to offer, which would bring the House directly to a vote on the question at issue. ["Cries of "order, order, order!""]

Mr. Pettkin rose to a point of order. He wished to know whether it was competent for the Chair to entertain three or four propositions at one time.

Mr. Johnson. Let the gentleman reduce his point of order to writing.

The Chair requested that the gentleman from Pennsylvania should reduce his point of order to writing.

Mr. W. C. Johnson would say what he had to say upon his resolution, while the gentleman was preparing his point of order. Mr. J. held that the House had not the right to vote on the Representatives of an entire State. The House must conform to the Constitution and the laws, and they expressly inhibited the House from taking such a course, unless the members were sworn in. He contended that they could not adopt the proposition of the gentleman from North Carolina, because, by the law of apportioning Representatives, New Jersey was entitled to six Representatives, and it was not in the power of the House to deprive her of that representation.

Mr. Pettkin then presented his point of order in writing; but—

The Chair decided against it, because the question to lay on the table could not be pending while the preliminary question was undecided.

Mr. Pettkin raised an additional point of order, as to whether any other motion could be made, which would not suspend that motion. If such was the decision of the Chair, he would appeal from that decision.

The Chair said that whatever question might arise, the moment the House came to vote upon it, the question would arise as to who should vote upon it; and the question as to who should vote, must be settled before the question to lay on the table can be put.

Mr. Rhett thought the proper course should be to decide one question at a time. Mr. R. went over, and summed up the various questions presented to the Chair, and concluded by moving the previous question on the appeal taken by Mr. Pettkin.

Mr. Briggs contended, that as the question pending was on the motion of Mr. McKay, an appeal could not be taken on any other question.

The Chair then decided that Mr. Pettkin's motion could not be entertained.

Mr. Pettkin. Then I appeal from that decision.

[Loud cries of "order!" "order!" "order!""]

Mr. Johnson then asked for the reading of his resolution.

Mr. Bryant objected to this course of piling motion upon motion. If we did not go on and de-

cide questions according to some rule of order, it would be utterly impossible to do any thing.

Mr. Johnson said he offered his resolutions as a substitute for the motion of the gentleman from North Carolina. Mr. J.'s resolution was then read as follows:

Resolved, That a certificate of election as a member of the House of Representatives of the United States, duly made, in conformity with the laws of the State which the parties profess to represent, and signed by the proper officers under the great seal of the State, is sufficient per se to entitle the person to whom it is given to be sworn in as a member of the House, provided that no State shall have more Representatives than is allowed to it by the Constitution and laws of the United States.

Resolved, That, under the fifth section of the second article of the Constitution, the House of Representatives of the United States can only look beyond such certificate, and judge of the election, returns, and qualifications, of its own members, after it shall have been organized and sworn.

Mr. Johnson said he offered this proposition as an amendment to the motion of the gentleman from North Carolina, because he felt that he could not vote on the motion of that gentleman. We have not yet been sworn; we have not taken the oath of office prescribed by the Constitution of the United States, and he could not consent to see the House proceed to the solemn farce or mockery of voting the Representatives of a whole State out of this House, when the members of the House were not under the moral and religious obligations required by the Constitution.

The Chair said he did not feel authorized to entertain a resolution, the effect of which would be to deprive the State of New Jersey of her representation on this floor. It was not competent for this meeting to pass such a resolution. The resolution of the gentleman from North Carolina declared, in effect, that the people of the State of New Jersey should not be represented on this floor, and the Chair could not put the question, upon such a resolution, to the House.

Mr. Johnson. Then I will offer my resolution as a separate and distinct proposition. In reply to a proposition which had been made by some gentlemen on the floor, that all the members from New Jersey might vote, provided the result was not changed, he wished to say a few words. New Jersey was entitled to six Representatives under the laws apportioning Representatives, and he held that it would be a monstrous innovation for the House to permit eleven members from that State to vote. That State was entitled to six Representatives, and she was entitled to no more; and the question here was, who those six Representatives should be? This question was settled by the Constitution of the United States and the laws of New Jersey, and it was incompetent for this House to take any question upon that until it was first organized, and gentlemen had taken the oath of office.

Mr. Francis Thomas rose to ask the gentleman from North Carolina [Mr. McKay] to withdraw his proposition, in order that another effort might be made to settle this question. Mr. T. said he had moved no preliminary proposition, he had offered no amendments to propositions which had been before the House; not because he had not felt deeply interested in the questions—nor because he did not feel a deep anxiety to see the House organized in an orderly manner, and at an early day, but because he believed that all the preliminary questions had a tendency to postpone the organization of the body. He believed that a large majority of the members of the House had made up their minds as to how they would vote on this question, in any shape which it might assume. Then let it be the effort of every gentleman to bring the House to action. What was the course best calculated to do so? Was it best for us to be chasing shadows and discussing questions which may never arise? We would have difficulties enough, by pursuing a straight forward course, without stepping aside to raise difficulties which were not in our way. He knew that there were members here who held the opinion that four of these New Jersey members could vote upon the right of the fifth to take his seat. This was not his opinion; but he proposed to avoid, if possible, that and other such questions, because if we went on to discuss them, as we had done, we might be discussing here till doomsday, without arriving at any practical result. The course, then, which he intended to pursue was, not to moot preliminary questions unnecessarily. Let the vote be taken. It was possible, when it was taken, that the case would stand as it stood to day. It may be that the votes of the five disputed members from New Jersey would not change the result, whether counted or not. When the vote was taken this morning, it appeared that four of the disputed New Jersey members had voted, but their votes could not change the result, therefore no objection had been made from any quarter to their voting. By this course, the House may avoid deciding on these vexed preliminary questions, and he thought every gentleman ought to endeavor to avoid them if possible; the public interest required this; but if they were to be decided on, let them be decided on when the necessity for it arises. It will be time enough, then, to decide on them.

With regard to the proposition of the gentleman from North Carolina, it, in his opinion, decided nothing. That proposition, as stated verbally, is, in effect, that the members from New Jersey shall not vote until the House decides that they shall vote. Well, suppose this proposition should be adopted by the House, it would be a mere abstraction. The House must then go a step further, and say whether they shall vote or not. It will be competent, then, for gentlemen to say that he (Mr. T.) should not vote until the House decided that he should vote. The same objection might be raised to any other gentleman's right to vote, and day after day would be spent in these preliminary questions, and no good would result from it. Then let us meet the question to-day, and come up to the question which is best calculated to avoid all difficulty. Let us take the vote to lay the resolution of the gentleman from Virginia on the table, or to reject it; and if the vote of the disputed members from New Jersey does not change the result, let the decision of the House be pronounced without raising these preliminary questions of abstract right which serve but little practical purpose. This course had been suggested by the Chair some days ago as the proper course to be pursued, and he hoped the House would take up this suggestion and set upon it now. In urging this course upon the House, he would state that his sole object was to bring the House to action and avoid those difficulties in which the House had been long involved, to the injury of the public service, and at the risk of its own dignity and capacity for future usefulness.

Mr. Wise would suggest a course by which the House might arrive at a speedy termination of this question. Let the gentleman from Maryland withdraw his proposition. Let the gentleman from North Carolina withdraw his resolution, and let the gentleman from South Carolina withdraw the motion to lay the resolution, submitted by him,

[Mr. Wise] on the table. Then let the Clerk go on and call the roll, calling the members from New Jersey, who had presented the legal formal certificates, according to the Constitution and the laws of New Jersey. Then we will be prepared to vote; and when we come to vote upon any question, if the votes of the New Jersey members will not change the result, nothing need be said about their voting; but if it does, then the tellers can report the fact to the House, and the House can then act upon the question. He thought this would be the most satisfactory mode of getting over all difficulty in relation to this question, and hoped gentlemen would cease pursuing shadows, and unite upon some practical proposition of this kind.

Mr. McKay, after a few remarks, which in consequence of the noise and disorder prevailing, with repeated calls to order, were not heard, said that he had before expressed the opinion, which he repeated that neither party should be permitted to vote. The question has been submitted to the Chair, but the Chair refused to put it, until it should be decided by the House who should vote as members from the State of New Jersey. The House had already decided that the five New Jersey gentlemen who held the certificates of the Governor should not vote, and the Chair refused now to put any question to the House, for the reason that it must first decide who are to vote as members from New Jersey, while there is no proposition to decide that point, either in the affirmative or negative before the House. This he considered to be a monstrous assumption of authority by the Chair. The House has decided that five of the claimants shall not vote, and a member then submits a motion that the other five also shall be prevented from voting until the controversy is decided. The Chairman then declares that, while he occupies that chair, he never would permit a sovereign State to be disfranchised, by prohibiting her Representatives from voting on any question before that House; and therefore he declares that he would not put the question. Did not the Chairman himself at the last session, submit a resolution to the House, that no member whose seat was contested should be entitled to vote upon any question before the House, until his right to a seat should be first investigated and decided upon? Now if it was constitutional for the Chairman himself to present that resolution as a member of the House of Representatives, was it not constitutional for him as a member of the House of Representatives, to offer a similar proposition? If however, the House was willing to proceed at once to a vote, he would be willing to withdraw his proposition.

Mr. Craig asked if the House was now about to decide the right to seats of the members from New Jersey? He asked, in the language of the eloquent gentleman from Georgia, who addressed them the other day, how was the House to enforce its edicts? How the difficulty they were involved in the other day, the Clerk deciding that he could not put a question, a Chairman was appointed, who would have the power to put questions.—Now, what did the Chair tell this House just now? "As long as I occupy this chair, I will not suffer a sovereign State to be disfranchised by excluding the votes of her members on any question before the House." Sir, said Mr. C., we can never get along unless we attack difficulties one at a time. The first difficulty was that produced by the Chair himself, in declaring that he would not put a question; his refusal to register the edicts of the House.—The House had determined that the members who presented the certificates of the Governor of New Jersey shall not be permitted to vote. Let us, then, (said Mr. C.) dismiss all quibbles; let us feel and act as men, and consider this tantamount to a decision that neither party shall vote until the controversy is settled. (So much noise and confusion prevailed while Mr. Craig was speaking, that the Reporter heard him very imperfectly; and, in the concluding part of his remarks, his voice was completely drowned by the cries of "order, order!" "go on, go on!" &c.)

Mr. Rhett, in reply to some words from Mr. Wise, not heard, declined to withdraw his motion to lay that gentleman's resolution on the table. The question, he said to decide the fate of that resolution, could as well be taken on the motion to lay it on the table as in any other way.

Mr. Johnson of Maryland, then said he refused to withdraw his motion, whereupon—

Mr. Rhett then asked if that resolution of Mr. Johnson's was before the House.

The Chair answered, that no question could be before the House, until it should decide who should vote as members from the State of New Jersey. Mr. Rhett stated the question, as he understood it. It first arose on his (Mr. R.'s) motion to lay the resolution of the gentleman from Virginia [Mr. Wise] on the table; next on the resolution of the gentleman from Maryland, as a substitute; and then came the decision of the Chair, that no question could be put until the House decides who shall vote as members from New Jersey. Now he moved to lay the question raised by the Chair on the table.

Mr. Wise informed the gentleman from South Carolina [Mr. Rhett] that no motion could be put on that question until the preliminary one of who was entitled to vote should be first decided.

Mr. Slade desired to know the question that was before the House.

The Chair said that the main question was for the meeting to determine who was entitled to vote from the State of New Jersey. The House having determined, by reversing the decision of the Chair, that the members, holding the certificates of the Governor of New Jersey, should not vote, it was now necessary that the meeting should say who was entitled to vote, inasmuch as they would not deprive a sovereign State of its representation on this floor.

Mr. Slade understood the gentleman from Maryland [Mr. Johnson] had offered a proposition here, which he was disposed to keep before the House, unless the gentleman from South Carolina would withdraw his motion to lay the resolution of the gentleman from Virginia [Mr. Wise] on the table. Mr. Johnson of Maryland said he would modify his resolution by withdrawing the second clause of it. The first clause contained a distinct proposition, and the House, by taking the question on it, would come to a direct vote on the principle involved.

Mr. Slade then rose and made some remarks, which will be reported in full hereafter.

Mr. Graham of North Carolina rose to a question of order, several members trying to obtain the floor, and speaking at the same time.

The Chair again stated the question. The House must first decide who shall vote as members from New Jersey, and then the question on the motion of the gentleman from South Carolina could be put. The Chair would, however, suggest a substitute for his decision, which he would adopt, if it met with the concurrence of the House. This was the course of procedure he suggested on Saturday last, and which had been already adopted on taking two or three questions; that is, the Chair would put the question, and the tellers would, on

counting the votes, report the result to the House; and whether any of the members whose seats were contested voted on the same, and should it be found any such voting would change the result, it would be for the House to determine whether such votes should be counted.

Mr. Black asked the Clerk to read the resolution, and it was read as follows:

Resolved, That the acting Clerk be directed to call the members of the House, including, in such call, the members from New Jersey, who have the certificates of the Governor of that State, that they are elected as Representatives of the Twenty-sixth Congress.

Mr. Slade rose and contended for his right to go on with his remarks.

The Chair said that the question was, who should vote from the State of New Jersey.

Mr. Wise. The question is on the motion of the gentleman from South Carolina to lay my proposition on the table; and therefore, the gentleman from Vermont was speaking out of order. We are come now, said Mr. W. to the direct question, and he begged gentlemen to let it be taken.

The Chair did not consider the gentleman from Vermont to be out of order. The reasons assigned by the Chair, for his decision, were not heard by the Reporter.

Mr. Slade said, as so many gentlemen were anxious for him to yield the floor, he would do so to accommodate them.

Mr. Rives rose, and attempted to address the Chair, to make some suggestions as to the mode of proceeding, when—

Mr. Wise, and several other gentlemen, called him to order. Great noise and confusion prevailed at the time, and repeated cries of go on, go on were also heard.

Mr. Rives again attempted to obtain the floor, when—

Mr. Wise again interrupted him with calls to order. Whether the question was on the motion submitted by the gentleman from South Carolina to lay his resolution, or the resolution of the gentleman from Maryland, on the table, still the motion was not debatable, and he hoped the Chair would order the gentleman to take his seat.

The Chair was unwilling to arrest any gentleman on a point of order, who thought he had any new proposition to present to the meeting.

Mr. Rives said it was not his intention to throw any obstacle in the way. He desired to come to some conclusion, and therefore he proposed to gentlemen to permit the gentleman from South Carolina [Mr. Rhett] to offer his resolution as an amendment to the resolution of his colleague, [Mr. Wise], and let the House come to a decisive vote.

Mr. Briggs made a few remarks, showing the necessity of enforcing the point of order, and preserving decorum in the House.

Mr. Proffit endeavored to obtain the floor, and at the same time giving his opinion that the motion was debatable, and he wanted to have his share of it.

Mr. P. was called to order by several gentlemen, and he took his seat.

The Chair then put the question on Mr. Rhett's motion, and directed the tellers to report the names of those members voting whose seats were contested; and also to report how the vote would be without the votes of those gentlemen whose seats were contested, and how it would be with the votes of those gentlemen.

Mr. Holleman denied that such was the question before the House. He also denied that the question was ever presented for the House to decide, as stated by the Chair, as to who should vote as members from New Jersey, though the Chair wished to make it so. To constitute a question before the House there must be an affirmative and a negative, or how could the House decide it. How could it decide the question as to who should vote as members from New Jersey, when, having already decided that one set of the claimants should not vote, the Chair refused to put the question as to the right of the others to vote? He denied that the Chair had a right to make any such decision. This was putting the House in a position in which it could neither advance nor recede. Some days ago, when the House was in a similar condition, in consequence of the Clerk deeming himself incompetent to put questions to the House, the gentleman occupying the Chair forcibly appealed to his fellow-members present to relieve themselves from the embarrassment in which the decision of the Clerk had placed them, by removing the Clerk, and putting some one in his place. This appeal had been followed up by the motion of the gentleman from South Carolina, which placed the gentleman himself in the Chair. It was then supposed that the House was relieved from the difficulties in which the decision of the Clerk had placed them. But really, from the decision of the Chair just made, it appeared to him that it would become necessary for the House to remove him from the Chair, and put some one in his place who was willing to put a question. Mr. H. after a few remarks, made during much noise and confusion, appealed from the decision of the Chair, and asked for the previous question on the appeal.

Mr. Briggs said if the gentleman from Vermont would withdraw his objections, he would submit the proposition of the Chair to the House for its decision in the form of a motion. Mr. B. then submitted the following, which he read:

Resolved, That on the motion of Mr. Rhett to lay Mr. Wise's motion on the table, or on Mr. Wise's resolution itself, the tellers shall count all the persons who may pass between them; and if any pass whose right to vote is disputed, the tellers shall report their names to the Chair, after the number of votes on both sides are reported, for the decision of the House.

Mr. Holleman declined withdrawing his proposition, and insisted on taking an appeal from the decision of the Chair.

The Chair asked what decision the gentleman from Virginia demanded an appeal from.

Mr. Holleman said that his appeal was from the decision of the Chair, that no question could be put until the House decided who should vote as members from New Jersey.

The Chair said, I withdraw that decision. [Much laughter.]

The question was then taken on Mr. Briggs's motion, and it was carried without a division.

The Chair then stated the question on Mr. Rhett's motion, and instructed the tellers, in counting, to report if any members whose seats are contested, voted; using the language of the resolution just adopted on the motion of Mr. Briggs.

The House having seconded the call for the previous question.

The question was then taken, shall the main question, now be put? and was decided in the affirmative without a division.

The main question to lay Mr. Wise's resolution on the table was then put, Messrs. Dromgoolle and Davies having been appointed tellers.

On counting the result, the tellers reported that there were 115 votes in the affirmative, and 114 in the negative; Mr. Naylor from Pennsylvania, whose seat was contested, voting with the nays.

The Chair announced this decision of the House to be 115 in the affirmative and 115 in the nega-

tive, (the Chair voting with the nays,) so that there being a tie, the motion was lost.

Mr. Smith of Maine denied that the motion was lost, and appealed from the decision of the Chair. He understood that the tellers as having reported that Mr. Naylor, whose seat was contested, voted with the nays. He denied the right of Mr. Naylor to vote, and objected to its being counted.

Mr. Naylor observed that the gentleman from Maine, [Mr. Smith] had challenged his right to vote. Now, he challenged the right of the gentleman himself to vote. Here are my credentials, said Mr. N. holding them in his hand.

Mr. Smith of Maine. I turn the gentleman over to Mr. Ingersoll, who has the certificate of the judges of election, and the certificate of the Governor, under the broad seal of the State of Pennsylvania.

Mr. Wise moved that the vote of the gentleman from Pennsylvania be counted, and on that motion, he called for the previous question.

Mr. Reynolds, amidst much noise and disorder, moved an adjournment—a number of gentlemen on the floor.

Mr. Wise and others opposed the adjournment, Mr. W. proposing to sit by candle light.

The Chair was proceeding to put the question on Mr. Wise's resolution, which he said was the next in order; when

Mr. Reynolds insisted on his motion for adjournment, and demanded that the question be taken up!

The Chair said that a motion to adjourn was not in order, while a question was pending.

Mr. Smith and several members here contended that the question of Mr. Rhett's motion was not decided, and that it yet depended on the decision of Mr. Naylor's right to vote.

Mr. Weller again moved the adjournment.

Mr. Wise repeated his motion that Mr. Naylor's vote be counted, and also his motion for the previous question on it.

The Chair said he understood the decision of the House, in the motion of the gentleman from Massachusetts, (Mr. Briggs,) to refer only to the contested seats from New Jersey, and that the gentleman from Pennsylvania (Mr. Naylor) did not come within the decision of the House.

The question, therefore, the Chair considered to be on the resolution of the gentleman from Virginia.

Mr. Briggs said that this motion was general in its application, and applied to all the gentlemen whose seats were contested. At Mr. B.'s request the resolution was read by the Clerk, amidst much noise and confusion.

The Chair said that he had announced the decision of the House, that the resolution was lost, and did not hear the report of the tellers that a member whose seat was contested had voted.

Mr. Dromgoolle rose and stated that, as one of the tellers, he distinctly stated to the Chair, when he announced the vote, that Mr. Naylor, one of the gentlemen whose seat was contested, had voted. In this statement, Mr. D. was sustained by Mr. Davies, the other teller, by Mr. Smith of Maine, and several other gentlemen.

The Chair said that the question before the House, was the previous question on the resolution of the gentleman from Virginia.

Mr. Turney appealed from the decision of the Chair, as he considered that the first question to be decided was, whether Mr. Naylor's vote should be counted.

Mr. Weller moved an adjournment, and a question was taken; Messrs. Graves and Turney were appointed tellers, and on counting the vote, they reported that there were—Messrs. Kille, Cooper, and Ryall, members from New Jersey, whose seats are contested, voting in the affirmative, and Messrs. Halsted, Ayer, and York, similarly situated, voting in the negative.

The Chair then stated that the votes of the members whose seats were disputed, not varying the result, it was decided in the affirmative, and that

The House adjourned.

HOUSE OF REPRESENTATIVES.

Wednesday, December 11.

The question before the House, after the reading of the journal, was the right of Mr. Naylor to vote upon Mr. Rhett's motion to lay Mr. Wise's resolution upon the table.

The confused proceedings of yesterday led to correction of the journal. The Clerk omitted to state "that Mr. Naylor challenged the right of Mr. Smith to vote." Mr. Smith having challenged the right of Mr. N. The journal was amended, when the Previous Question was put on the appeal from Mr. Adams's decision, that Mr. Naylor had a right to vote.

The previous question was put and seconded, and tellers were demanded upon the vote, whether the decision of the Chair should stand as the judgment of the House. The vote was as follows:

Ayes 112.—Noes 118.

So Mr. Adams's decision was lost. Mr. Ingersoll, Mr. Naylor and a part of the New Jersey members—commissioned members and claimants—voted.

Mr. Johnson said that it was an outrage upon the Constitution not to count the vote of the member from Pennsylvania.

Mr. Adams said to the House thus early, the business becoming confused, that if each member would keep his seat there would be hopes of keeping order.

Mr. Wise moved that the House proceed to decide upon the right of Mr. Naylor of Pennsylvania to vote.

Mr. Ingersoll made an attempt to speak, but was called to order. He addressed the Chair once or twice, but was not suffered to proceed.

Mr. Curtis here moved an adjournment, which was not put by Mr. Adams.

Mr. Turney, of Tenn. made the remark that the sooner we get into a row the better.

Mr. Stanley of N. C. interrupted him by saying, if it has come to this that the House was to be made better by getting into a row, "he could tell the gentleman from Tenn., that if there was to be a row, he was his man,"—saying Mr. Turney.

The scene of confusion was here so great that Mr. Curtis moved an adjournment of the House.

After much disorder, the Previous Question was put and seconded, upon Mr. Adams's decision that Mr. Naylor had a right to vote.

The question again came upon Mr. Naylor's right to vote. Mr. Naylor had his certificate of election read. While this document was reading, the Assembly for the first time were quiet.

Mr. Naylor asked the attention of the House to the Proclamation, which he read, from Governor Porter. Nine days before the Assembly met, Governor P. issued a certificate of election, announcing the return of Mr. Ingersoll.

Mr. Naylor rose and begged a hearing, but was not suffered to proceed—the House being divided, and the confusion very great. The reading of the law of Pennsylvania was called for.

Mr. Rives called for the reading of all the testimony. The election law of Pennsylvania was then read, when the vote was put to the House

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to Mr. May's right to vote, by tellers, and stood, Ayes 119, Nays 113.

[This vote excited great attention in the House, it being the first vote where the Whigs had the majority. The effect of this vote was to sustain the vote of yesterday, that Mr. Wise's resolution should be laid upon the table.]

The next question that came up was upon the right of Mr. Ayer's right to vote. Mr. Ayer's commission was read, and the law of New Jersey, and the evidence in part connected with the facts in the case, when the vote was taken upon Mr. Ayer's right to a seat. Tellers were demanded, and the result was—in favor 117, against him 123. Four of the Whig members from New Jersey voting in his favor, and three of the Administration claimants against him. So the House decided that Mr. Ayer's vote should not be counted.

The House was very quiet when Mr. Adams gave the decision, and all eyes were upon him when he said, "The Chair considers the vote unconstitutional." (laughter and excitement)—"but in consideration of the fact that the majority have reversed his decision, he feels bound to state that Mr. Ayer's vote cannot be counted."

The meeting then decided, 122 to 116, that Mr. Maxwell's vote should not be counted, and a decision immediately followed of a similar result in regard to other members. The last vote was 110 to 117 against allowing the New Jersey Whig members to vote.

The next question on which a vote was taken was whether Mr. Ingersoll should be allowed to vote.

Mr. Ingersoll attempted to speak, but was called to order.

Mr. Peck of N. Y. told him if he had a speech to make, he had better go to the Rotunda and make it; he did not belong here.

The vote was then taken upon Mr. Ingersoll's right to a vote, and decided against it. Mr. Ingersoll's right, 158 members voting against it, and not one for it. After this vote had been taken, Mr. Adams in the chair stated the position of the questions before the House. They had decided upon Mr. Taylor's right to vote. His own decision, that Mr. Taylor had a right to vote, was sustained.

Mr. Wise then again brought forward his resolution that the New Jersey members should be enrolled and take part in the organization.

The eyes and noses on this question were then called—a breathless silence almost pervading the Hall during the time of reading the names of the members. The vote was

In favor of Mr. Wise's resolution 115
Against it 119

The New Jersey members did not vote, except Mr. Randolph, whose seat is uncontested. Mr. Taylor voted.

Mr. Rhett, of South Carolina, then moved an important resolution, the effect of which was that the Clerk should call the names of all the members whose seats are contested, and that the members thus called shall be a quorum to settle the claims of members—that Mr. Taylor's seat shall not be included in the contested seats, and that the quorum shall decide the contested elections before proceeding to the election of a Speaker.

The ayes and nays were demanded upon Mr. Rhett's resolution, which was decided affirmatively.

The vote upon Mr. Rhett's resolution—the last clause of it referring to Mr. Taylor's right to vote, was

Ayes 138, nays 82.

Mr. Campbell, of South Carolina, has submitted an important proposition, that the House immediately organize by the appointment of a temporary Speaker and Clerk, for the purpose of receiving the Message, &c. After the Speaker is appointed and the House temporarily organized for the purposes named, the contested seats are to be settled, and then new officers appointed. Mr. C. thinks this the only way to get the House out of difficulty.

Mr. Graves said that the proposition of the gentleman from South Carolina (Mr. Campbell) was in substance that offered by the gentleman from Virginia, (Mr. Wise); and he saw no necessity for the House acting upon it. Looking at it in that point of view, and that alone, he moved the previous question.

Mr. Hubbard said the right to a division cannot be doubted; I might like one part and not another.

Mr. Wise observed that he presumed the gentleman from South Carolina (Mr. Campbell) had a right to make his motion in his own way.

The question was then taken, when there appeared—Ayes 102, nays 116.

The second branch of the resolution being taken—A motion was made to adjourn—carried.

IN SENATE.

Thursday, Dec. 12, 1839.

A message from the President of the United States was received, which being of an Executive character, the Senate went into an Executive session, and, afterwards, Adjourned.

HOUSE OF REPRESENTATIVES.

The question pending was on the motion of Mr. Campbell, of S. C., to reconsider the vote on the second branch of Mr. Rhett's resolution.

Mr. Campbell rose and stated, that as the House had on yesterday refused to reconsider the first branch of Mr. Rhett's resolution, he would now withdraw the motion to reconsider the second branch of the resolution.

The Chair announced that the gentleman from South Carolina had withdrawn his motion to reconsider.

Mr. Wise said there was a law of the State of Virginia appointing a commission to purge the polls—at the time and place of the elections, but within a given number of days thereafter.

Mr. Pickens continued. I admit the proposition of the gentleman from Virginia. I admit that the State of Virginia has taken upon herself to purge the votes after they have been received into the ballot boxes. I ask if that is the naked proposition? and if so, I am prepared to demonstrate the unconstitutionality of it.

Mr. Wise made a brief explanation, which, from the noise prevailing, the Reporter did not hear. It related principally to the manner of voting in Virginia, which is vice versa.

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these principles I voted against Mr. Ingersoll's right to vote. The majority of the votes were given to his opponent, Mr. Taylor; and, though it was understood that this majority was the result of fraud, I voted against Mr. Ingersoll because I believed that the judges had no right to throw out the votes, because they deemed them fraudulent;—that as to doing, they were usurping the powers of this House. When the question, however, came up to be finally decided between the two gentlemen, I will meet it, and decide according to the evidence before me; but I protest against the right of the officers of the State of Pennsylvania to judge of the legality of votes after they have been deposited in the ballot boxes. I know, said Mr. P., the delicacy of the position I occupy. I know that the course I have adopted may be misunderstood, and perhaps censured; but I would not wear the proudest jewel on a monarch's brow, if I could not wear it unshaken. There is no sentiment I ever proclaimed in the closet, that I would not proclaim to the world. I am prepared to meet this question frankly, boldly, fearlessly; and I am willing to go into it now.

Mr. P. here read the following resolution: Resolved, That the committee to be raised on the New Jersey elections, be confined to the question who is entitled to the "returns" of elections for the Twenty-sixth Congress.

Mr. Crab then gave notice that he would move a reconsideration of the vote ordering the appointment of a committee, in case a reconsideration should be ordered of Mr. Rhett's resolution.

On motion of Mr. Wise, The House adjourned.

The Northern Mail of last night brought intelligence from Washington City up to the 14th inst. In the published proceedings of that day, (14th), we find the House had proceeded to ballot for Speaker. They had made six trials without success, and on motion of Mr. Lewis Williams of North Carolina, the further balloting was postponed until Monday next (16th). The House then adjourned.

The tallotings stood thus:

	1st	2nd	3rd	4th	5th	6th
John W. Jones,	118	118	110	101	71	39
John Bell,	102	89	1	2	23	31
Wm. C. Dawson,	11	11	108	77	4	3
F. W. Pickens,	5	5	7	6	3	4
Dixon H. Lewis,	3	5	6	14	69	70
R. M. T. Hunter,			5	30	69	69
Levi Lincoln,					4	11
Scattering,	1	1	2	3	10	30

Forgettable and Western Rail Road.—Baltimore will be found the address of the Commissioners to the citizens of Rowan, on the above important subject. We commend its perusal to each and every citizen of the County, who has at heart the interest of this great and important enterprise.

TO THE CITIZENS OF ROWAN COUNTY: The undersigned, having been appointed Commissioners to receive Subscriptions to the Stock of the "Fayetteville and Western Rail-Road Company," under the amended Act of Assembly passed at the last Session of that body, take this occasion to make to you a simple statement of facts, and to urge upon you some considerations which we think important.

By the Act of 1836-7, the State of North Carolina agreed to subscribe two-fifths of the sum necessary to complete the Rail-Road from Fayetteville to some point above the Narrows of the Yadkin River, provided individuals would subscribe the other three-fifths. The persons interested were proceeding rapidly to avail themselves of what then was thought to be a most liberal act of the State, and the prospects of success seemed most encouraging when the sudden change in the times that overwhelmed all other kind of business—crushed also this great project. Things remained in this discouraging state until last Winter, when another appeal was made to the Legislature in behalf of the citizens of the West, and that body was informed, that if another fifth of the whole sum should be subscribed by the State, individuals would immediately raise the remainder. After much contention and difficulty, the Act passed as asked for: that is to say, the State, by this Act agrees to subscribe three-fifths of the Capital Stock, provided individuals will take the remainder. Under this Law, the people of Fayetteville have commenced a very spirited action, and have raised on the Cape Fear, a majority of the sum wanted. Something less than two hundred thousand dollars, however, must be raised by the people of the West before we can reckon on the certain success of this great and long desired work of internal improvement.

If this sum is raised promptly, we are willing to pledge our characters to our fellow citizens that the work must be made. If, however, this prompt subscription be not made, we are equally certain of the entire failure of the scheme. The limits of this address will not permit us to explain the circumstances that have brought about this crisis; but it does most certainly exist, and our fellow citizens are called upon to act upon it.

The property-holders in the country, are most deeply interested in this work; they must gain whether the Stock yields a dividend or not; they will gain on the increased value of their land and its productions. We have no idea that the Stock will be unprofitable; the State has too much interest at stake to permit this; but in case this should be certainly the fact, you, the Farmers of the country ought to do something at any rate. The Road is, and always has been presented as an Agricultural Scheme. You are to be mostly benefited; you ought therefore to take up this subscription and fill it at once. Small sums only are required from each, and many facilities are presented even for meeting these small sums. Will you, the strong backed men of Rowan, not come forward and save your own great schemes from failure and your own great interest from hopeless ruin?

We are not enthusiasts. We have well considered what we say, and we know we speak truly. It will be a lasting reproach for you to hang back at a crisis like this.

Yours respectfully,
WILLIAM CHAMBERS,
B. MACNAMARA,
D. A. DAVIS,
R. W. LONG,
H. C. JONES,
Salisbury, Dec. 20, 1839.

THE WESTERN CAROLINIAN
SALISBURY:
Friday Morning, December 20, 1839.

We are authorized to announce Col. RICHARD W. LONG as a Candidate for the office of Sheriff of Rowan County.

We are authorized to announce JOHN H. HANSEN, Esq., as a Candidate for re-election for the office of Sheriff of Rowan County, at the next election.

THE NEW JERSEY CONTESTED ELECTION.

The contested election from New Jersey has, in a great measure, obstructed all the proceedings of Congress. Nearly two weeks have been consumed in disputes in the House of Representatives, and that body still in a state of disorganization.—No Speaker elected;—no Clerk appointed;—no Message received, and all in most admirable confusion.

The question thus naturally suggests itself to all enquiring minds, why all this confusion and delay? So far as we can judge by a careful examination of the whole history of the subject, with no other view than to arrive at a just conclusion, it is, in substance, as follows:—New Jersey elects her members of Congress by general ticket. At the last election for this purpose, there were two sets of candidates before the people, one for the Whigs, and the other for the Democrats.—that is, six on each side. The election took place, and it appears from the returns, that a majority of all the votes given in, and, as a matter of course, his seat is not contested; but five of the Democratic candidates were ahead of the other five Whig candidates from 100 to 300 votes. But when the returns were examined, it was found that the statements from two of the precincts were missing, or withheld, by which means the Whigs had a majority of all the votes returned; if, however, these two precincts had been returned and counted as they ought to have been, the Democrats would have had a clear and decided majority.

The Governor, being a Whig, gave his certificate to the Whig candidates, although as known when he did it, that the other party had the majority. At the opening of Congress both parties presented themselves.—The Whigs claimed their seats because they held the Governor's certificates, and the other party claim theirs, because they have a clear majority of the people, certified by the Secretary of State, the recording officer—and under these circumstances of the case, the House has now to decide who shall have their seats, it being "the judge of the elections, returns, and qualifications of its members," according to the Constitution.

As we stated on a former occasion, if party feelings and party influence were not in the way, it seems to us that there could be no question about the matter, no if to alter the case, as the Lawyer said to the Farmer.

The Constitution gives to the people the right of choosing their members of Congress, and in our opinion, whoever gets the majority of the popular vote, whether he be Whig or Democrat, ought to be entitled to the seats, and any other principle once recognized and adopted, will destroy the very essence of our free institutions. Those five members who insist upon retaining their seats, and whose claims have thrown confusion and disorder in the whole proceedings of Congress, may be, for aught we know, Whigs, but Republicans they cannot be, especially when they attempt to hold their seats against a decided will of the freemen of New Jersey. Party prejudice and political excitement may for a while, overlook, and even justify this act, but when cool reason takes up the question and carefully examines all the grounds of dispute, a judgment, yes, a judgment of condemnation will

Summer Goods.

SPRINGS & SHANKLE
HAVE just received from New York and Philadelphia, an extensive assortment of
SPRING & SUMMER GOODS

—CONSISTING OF—
Dry Goods, Hardware, Tinware, Crockery, Groceries, Drugs and Medicines, Dye-Stuffs, Paints and Oil, Boots and Shoes, Saddlery, &c., &c.

In short, their Stock comprises almost every article needed by the Farmer, Mechanic, or the Fashionable of the town or country.
N. B. They will sell low for cash, or to punctual dealers on time; or in exchange for country Produce.
Concord, May 24th, 1839.

NEW JEWELRY, &C.

JOHN C. PALMER, has another new supply of gold and silver
Lever Watches,
plain English and French, do, gold, silver, and brass, with Breast Pins, Finger Rings, silver Butter Knives, Pencils, (patent and plain) Tooth-Picks, Fork Chains, Spectacles and all other articles usually kept by Jewelers, all of which will be sold very low for cash, or on six months credit, at which time, interest will be charged.
Work done faithfully and punctually.
Salisbury, May 2, 1839.

Morus Multicaulis, FRUIT TREES, &C.

THE Subscriber informs the public, that he has for sale, at his Nurseries in Davidson County, 15,000 trees of the Morus Multicaulis, (and also a large number of rooted layers or cuttings of the same, of the current year's growth) these are superior to cuttings without roots to propagate from. His prices shall be the market price of the article in the North, and elsewhere. He also has a large stock of Fruit Trees, consisting of

Apples, Pears, Peaches, Plums, Cherries, &c.

being selections of the best American and European fruits, all of which are grafted or inoculated, and in healthy, growing condition.

I will deliver Trees in good condition, at any reasonable distance from Lexington, say 75 or 100 miles, (if amount of orders will justify it), for which I will charge the usual price of hauling. It will be well for those who wish to obtain trees, to get the Catalogue of the Nurseries, which contains prices, and will be sent gratis to all applicants, the postage being paid. Communications will be promptly attended to.
Direct to Lexington, N. C.

CHARLES MOORE.
Lexington, N. C., Sept. 6, 1839.

Cress & Boger

HAVE on hand and offer for sale the following article cheap for cash or on time to punctual dealers:
Faint invisible green, blue and black Cloth;
Black and drab Ties for Summer wear;
8 pieces Kentucky Jeans; 100 do. brown Domestic; 10 do. Red-Ticking; 2,000 lbs. Spun Cotton, S.F. 60 lbs. blue cotton Yarn; 50 lbs. Turkey Red;
15 lbs. nails, assorted;
4 genuine, superior, 3 cent a smelter's Belows;
1 doz. Cram's Axes; 18 finished Rifle barrels; 3 doz. cutting Reeds, Philadelphia make; No. 10 and Maccauba Puff; 1 box best cavendish Tobacco; 15 or 20 Hot Anker Bolting Cloths, from No. 5 to 9; assortment of screen wire, &c.

—ALSO—
Sugar, Coffee, Molasses, French and Champagne Brandy, Wine of different kinds; Holland Gun, &c., &c.
July 20, 1839.

BOLTING CLOTHS.

THE SUBSCRIBERS

HAVE on hand, and intend keeping a supply of the best Anchor Brand Bolting Cloths, comprising all the various Nos. used in this region of country.—Where all who wish the article can be supplied in quantities to suit purchasers, and on reasonable terms.

—ALSO—
Wave Wire for Screens, Bitters, &c., kept constantly on hand.
HALL & JOHNSON,
FOOT OF HAYWENT.

Fayetteville, May 17, 1839.

The Heath Tract.

THE above TRACT of LAND advertised in another part of this paper, is still

FOR SALE.

and any one wishing to purchase can, by paying two or three hundred dollars down, have the chance to pay the balance on any reasonable time.
B. AUSTIN, Agent.
Salisbury, July 5, 1839.

Wrapping Paper, &c.

THE Subscribers have just received a large assortment of brown and colored WRAPPING PAPER; together with a large quantity of PASTE BOARD, which they offer at wholesale or retail.
C. B. & C. WHEELER.
June 7, 1839.

FOR SALE.

FROM 75,000 to 100,000 of the

Morus Multicaulis Cuttings.

Apply at this Office.
September 20, 1839.

Notice.

THE Subscriber has on hand, and for sale, at his Shop, in Salisbury, three first rate Road Wagons.
SIMEON HILICK.
December 6, 1839.

New Goods.

THE SUBSCRIBERS

ARE now receiving at their old Stand, at Sitwell's Mill, in Cabarrus, a new and fresh supply of
Spring and Summer Goods.

The following articles are among the latest arrivals:
1,700 lbs. of Sugar,
1,600 do. Coffee,
3 hds. Molasses,
50 bushels Salt,
Wines, Cognac Brandy, Dye Stuffs, Powder, &c., &c., all of which will be sold low for cash, or to punctual dealers on time.
JACOB WINCKOFF & CO.
May 1st, 1839.

To the Public.

THE Subscriber takes this method of informing the Public, that he still continues to carry on the business of

CUTTING-STONE

as usual, at his Granite Quarry, seven miles South of Salisbury, near the old Charleston road, where he is able to supply all orders for MILL-STONES of the best grit, and on the shortest notice.

—ALSO—
for Sale, at the lowest prices,
WINDOW SILLS, DOOR SILLS, DOOR STEPS, ROUGH BUILDING ROCKS, TOMB STONES, GOLD GRINDERS, &c. &c. &c.
J. HOULSHOUSE, Stone-Cutter.
Salisbury, Oct. 25th, 1839.

N. B. Orders for any of the above wrought articles, directed to me at Salisbury, will be punctually attended to.
J. H.

STRAY HORSE.

STRAYED or stolen from the Subscriber, the last of November, an
INDIAN PONEY,

of a sorrel roan color, 14 hands high, and very heavy made, white spot on each side of his neck made by the collar, one on his back and a tolerable large white spot in his forehead—his right eye out, his mane neatly trimmed, and a tolerable long tail.

A liberal reward will be given for the Poney delivered to me, at Potts Dam, in Davidson County, or any one hearing of said Poney will confer a favor by giving information by letter or otherwise, directed as above.

ISAAC G. BARRETT.
Potts Dam, Davidson County, N. C.,
December 6, 1839.

TAKEN UP AND COMMITTED,

TO THE

Jail of Davidson County,

ON the 30th November last, a negro man, who calls his name

Jim;

he is about 35 years of age, 5 feet 10 or 11 inches high, stout made, has a down look; had on a kersey coat and pants, and cotton velvet vest; says he was purchased in Franklin County, N. C., by Dewart & Yancy, and on his way South, was persuaded to leave his master, by some white man, who after some day or two, began to travel a different direction from what JIM expected; JIM therefore, left him, and immediately surrendered himself to a white man. The owner is requested to come forward, prove property, pay charges, and take him away.
W. WOMACK, Jailor.
Lexington, N. C., December 6, 1839.

Morus Multicaulis.

I HAVE for Sale, a large number of Morus Multicaulis Trees, of a large size, and well matured, having been in my possession three years, and as such are preferable to Northern trees, as they are acclimated, and guaranteed genuine. I will sell by the tree or bud, as will suit purchasers. Should a number be wanted in a neighborhood, so as to warrant the trouble, I will deliver them, if the distance is not too great.

Persons wishing to raise trees, or to enter into the silk business, will find it to their interest to give me a call, or written orders will receive prompt attention.
M. ROUNSAVILLE.
Lexington, Tennessee, 4, 1839.

New Fashions, for Spring & SUMMER, 1839.

HORACE H. BEARD,

RESPECTFULLY informs his friends and the public, that he still carries on the TAILORING BUSINESS at his old stand on main street, next door to the Apothecary Store. He is ever ready to execute the orders of his customers in a style and manner not surpassed by any workman in the western part of the State. He is in the regular receipt of the latest London and New-York FASHIONS, and prepared to accommodate the tastes of the fashionable at all times.

Cutting garments of all kinds attended to promptly; and the latest fashions furnished at all times to country tailors, and instructions given in cutting.
[Salisbury, Jan. 1, 1839.]

NEGROES FOR SALE.

I WILL Sell at the Court House in Salisbury, on the 1st day of January next, two likely negroes,

BEN AND GRACE,

belonging to the heirs of William Haden, dec'd.

Terms made known on the day of Sale.

MESHACK PINKSTON,

Commissioner.

November 29, 1839.

BAGGING, ROPING, AND GROCERIES,

JUST RECEIVED AND FOR SALE.

WHOLESALE & RETAIL,

50 lbs. Cotton Bagging, 42 to 44 inches,
30 coils Bale Rope,
30 kegs Nails,
40 bags Coffee,
18 hds. Sugar,
1,000 lbs. Lard do.,
500 lbs. Spring Steel,
500 pr. Elliptic Springs,
500 lbs. Blister Steel,
144 Bottles Tonic Mixture,
20 large Covering Hides,
500 lbs. Sole Leather,
100 kegs White Lead,
By J. & W. MURPHY.
Salisbury, Sept. 27, 1839.

NOTICE.

I WILL hire, at the Court House, in the town of Salisbury, on the 1st of January next, for the term of one year, from 15 to 20 Negroes, belonging to the Estate of W. C. Love, deceased.

Terms made known on the day of Hire.

R. W. LONG, Guardian.
Salisbury, Dec. 13, 1839.

BUFFALO AND BEAR CREEK TEMPERANCE SOCIETY.

A MEETING of the above Society will be held at Mount Pleasant, Cabarrus County, on Friday, the 27th day of this month, commencing at 11 o'clock, A. M. It is expected that the meeting will be addressed by the Rev'ds. Messrs. Penick, Scheek, Rothrock, Johnson, and others.

By Order of the Society.
Cabarrus Co., N. C., Dec. 13, 1839.

HORSES FOR SALE.

A PAIR of YOUNG well broke

NORTHERN HORSES, and a SINGLE NORTHERN TROTTER

For Sale by
JOHN I. SHAVER.
Salisbury, Dec. 13, 1839.

Valuable Land

FOR SALE.

THE Subscriber offers for sale the following valuable lands in Lincoln County:

ONE TRACT

containing 302 acres, lying on the Catawba River six miles below Beattie's Ford.

A Tract of 132 acres adjoining the above.

A Tract of 288 acres adjoining the last.

A Tract known as the

CATAWBA SPRINGS,

containing 700 acres, which will be sold in parcels to suit purchasers.

The Subscriber having determined to sell, these lands may be had on very liberal terms, with a credit of one, two, and three years.

Any one desiring to purchase and wishing to examine any of the lands, will be shown them by applying to Dr. S. K. JOHNSON who resides in the neighborhood, and who will inform them of further particulars in relation to terms.

H. W. CONNOR.
Salisbury, N. C., Nov. 8, 1839.

DENTAL OPERATIONS.

DR. R. W. WHITINGTON.

HAVING located himself in the Town of Salisbury, offers his professional services to the citizens of Rowan, and the adjoining counties. He may be found at Col. Long's Hotel, where he is prepared to perform any and every

DENTAL OPERATION.

N. B. Examinations made without charge—materials and work warranted in all cases.
Salisbury, Nov. 8, 1839.

DR. G. B. DOUGLAS,

HAVING located himself in Salisbury, respectfully tenders his professional services to his citizens, and those of the surrounding country. His office is at the room formerly occupied by Dr. H. M. Bouchelle, where he may be found at all times except when absent on professional duties.
Salisbury, May 2, 1839.

Stone Engraving.

THE Subscriber living seven miles south of Salisbury, intends keeping constantly on hand, Marble and Granite Slabs expressly for

TOMB STONES,

so that he can execute any order in that line, on the shortest notice.

—ALSO—
He is ready to execute any work which may be called for in SCULPTURING, STONE-CUTTING, ENGRAVING, &c., and he assures those who may favor him with their work, that unless well done according to the design, he has no pay.

A complete large Dairy Trough for sale, cut of Rock, for the purpose of preserving milk cool. Apply to the Subscriber.
ENOCH E. PHILLIPS.
November 1st, 1839.

To Owners of Mills.

THE Subscriber has an improved patent Spindle for Mills, by which, a mill will do much better than with the usual form of spindle. It is so constructed as to keep from wearing or killing the meal in any manner. The runner is so confined by the spindle as always to preserve its balance, and of course there is no rubbing of the stones.

I think, by this improved Spindle, the same water will do at least one-third more business, and the meal of superior quality.

Any person wishing to use one of these Spindles, may obtain one or more, by making application, (within a short time) to the Subscriber at Mocksville, David Co. N. C. I think the probable cost will not exceed \$30 for the Patent and Spindle ready for use.

The following persons have my Patent Mill Spindle in successful operation:—Col. W. F. Kelly, Thos. Foster, Joseph Hall and Son, Foster of Davidson County; Gilbert Dickson and David J. Ramsour of Lincoln; Charles Griffith of Rowan; Addison Moore of Davidson, and William Doss of Surry, all of whom are highly pleased with its performance.

L. M. GILBERT.
October 25, 1839.

New Bargains!

Mons. Roueche,

TAKES great pleasure, to inform his friends and customers, and the public in general, that he has received direct from Charleston, S. C., a fresh supply of Fruits and Groceries.

—SUCH AS—

ORANGES, FRESH CRACKERS,

LEMONS, CHEESE,

RAISINS, OYSTERS,

FIGS, SARDINES,

FRESH HONEY, HERRING,

CORDIALS.

—ALSO—

WINES, LIQUORS AND SEGARS, all of the best qualities, and of the latest importation.

N. B. The above articles can be sold very low for Cash.

Salisbury, Nov. 29, 1839.

BRICK MASONRY.

THE SUBSCRIBER living near Lexington, Davidson County, takes this method to inform the Public that he will enter into contract with any Person, or persons, either in Davidson, Rowan, or Cabarrus Counties, who wish houses, factories, or any other kind of buildings erected of Brick, to build them as cheap, as durable, and in as good style as any workman in this country.

He will also, mould and burn the Brick, if wanted.—He trusts that his long experience in

MOULDING AND LAYING BRICK,

will entitle him to a share of public patronage.

He would refer gentlemen wishing work done in his line of business, to the Female Academy and the new fire proof Clerk's office in Salisbury, as specimens of his work.

N. B. Those wishing work done, will please leave word at the office of the Western Carolinian, and it shall be punctually attended to.

ROBERT COX.
Davidson, April 18, 1839.

Iron from the King's Mountain IRON COMPANY.

THE Subscribers have made arrangements with the above Company, for the regular supply of

SUPERIOR IRON,

which is well adapted to Wagon, and Carriage Work, Horse Shoeing, &c., which will be sold on reasonable terms.
J. & W. MURPHY.
Salisbury, December 8, 1839.

Warrants for sale here.

MOFFAT'S VEGETABLE LIFE PILLS AND PHENIX BITTERS.

—The universal estimation in which the celebrated Life Pills and Phenix Bitters are held, is satisfactorily demonstrated by the increasing demand for them in every State and section of the Union, and by the voluntary testimonials to their remarkable efficacy which are every where offered. It is not less from a deeply gratifying confidence that they are the means of extensive and profitable good among his afflicted fellow-creatures, than from interested considerations, that the Proprietor of these pre-eminent successful medicines is desirous of keeping them constantly before the public eye. The sale of every additional box and bottle is a guarantee that some persons will be relieved from a greater or less degree of suffering, and be improved in general health; for in no case of suffering from disease can they be taken in vain.—

The Proprietor has never known of been informed of an instance in which they have failed to do good. In the most obstinate cases of chronic disease, such as chronic dyspepsia, torpid liver, rheumatism, asthma, nervous debility, scrofulous swellings and ulcers, scurvy, salt rheum and all other chronic affections of the organs and membranes, they effect cures with a rapidity and permanency which few persons would theoretically believe, but to which thousands have testified from happy experience.

In colds and coughs, which, if neglected, superinduce the most fatal diseases of the lungs, and indeed the victims in general, these medicines, if taken but for three or four days, never fail. Taken straight, they promote the consumable perspiration, and so relieve the system of febrile action and febrile obstructions, as to produce a most delightful sense of convalescence in the morning; and though the usual symptoms of a cold should partially return during the day, the repetition of a suitable dose at the next hour of bed-time will almost invariably effect permanent relief, without further aid. Their effect upon fevers of a more acute and violent kind is not less sure and speedy if taken in proportionate quantity; and persons returning to bed with inflammatory symptoms of the most alarming kind, will awake with the gratifying consciousness that the force of the disease has been broken down, and can easily be subdued.

In the same way, visceral turgescence, though long established, and visceral inflammations, however critical, will yield—the former to small and the latter to large doses of the Life Pills; and so also hysterical affections, hypochondriacal, restlessness, and very many other varieties of the Neurotic class of diseases, yield to the efficacy of the Phenix Bitters. Full directions for the use of these medicines, and showing their distinctive applicability to different complaints, accompany them; and they can be obtained, wholesale and retail, at 375 Broadway, where numerous certificates of their unparalleled success are always open to inspection.

For additional particulars of the above medicines, see Moffat's "Good Samaritan," a copy of which accompanies the medicines; a copy can also be obtained of the different Agents who have the medicines for sale.

French, German, and Spanish directions can be obtained on application at the office, 375 Broadway.

All post paid letters will receive immediate attention. Prepared and sold by William B. Moffat, 375 Broadway, N. Y. A liberal deduction made to those who purchase to sell again.

Agents—The Life Medicines may also be had of the principal druggists in every town throughout the United States and the Canada. Ask for Moffat's Life Pills and Phenix Bitters; and be sure that a fac simile of John Moffat's signature is upon the label of each bottle of Bitters, or box of Pills.

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FEVER AND AGUE—TO MY FRIENDS IN THE WEST,

and particularly those who have used the LIFE MEDICINES in treatment of FEVER AND AGUE.

It is but a very short time since these Medicines have been introduced into the Fever and Ague Districts, and the proprietor flatters himself that during that period, wherever they have been used according to the directions, they have done more towards exterminating the disease, than all other remedies and prescriptions combined. It is a common excuse among "regular practitioners," when specifics are introduced, that they cannot cure diseases which people are in the habit of considering incurable. Medical experience is continually doing away a part of the list of the incurable diseases, and Mr. Moffat has the happiness of confidently announcing that Fever and Ague is now to be added to the number of complaints which modern skill has conquered.

In Fever and Ague the Life Medicines not only give quicker relief than any other remedy, but, if persevered in, effect a permanent cure; so that if the patient is only ordinarily careful, and resorts directly to his medicine upon the first symptom of tendency to a new attack, it may always be warder off. To escape one sufferer of febrile nature, or consequent to the influence of the disease, would confer a benefit upon him which cannot be estimated by any earthly standard. That these Medicines will effect what is here claimed for them, the Proprietor has the testimony of all acquainted with them and their application and use in the Fever and Ague; and his object in now addressing his friends at the West is to request them that they spare no pains in communicating their experience, and disseminating this highly interesting information, now that the season for Fever and Ague has arrived.

It is not for the mere purpose of disposing of a few hundred packages of the Life Medicines, that the proprietor makes this appeal. The demand for his Medicines is already greater than he can conveniently supply; and even were it insufficient to afford him business, he would conceive himself supremely selfish, if his pleasure was not greater at the benefit conferred upon the suffering part of the community by an increase in his sales, than at his own pecuniary profit.

The Life Medicines, if properly used and persevered in, recommend themselves; still it is necessary that the public should know that such medicines exist, and hence the propriety of advertising them. It is hoped, therefore, that the proprietor will not be accused of egotism when he says that there is no more moderate mode of treatment, for fever and ague, so appropriate, thorough and positive in its happy effects as Moffat's Life Pills and Phenix Bitters.

For further particulars of the above medicine see Moffat's Good Samaritan, a copy of which accompanies the medicine. A copy may also be obtained of the different Agents who have the medicines for sale.

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Wholesale and retail by WILLIAM B. MOFFAT, 375 Broadway, N. Y. A liberal deduction made to those who purchase to sell again.

Agents—The Life Medicines may also be had of the principal druggists in every town throughout the United States and the Canada. Ask for Moffat's Life Pills and Phenix Bitters; and be sure that a fac simile of John Moffat's signature is upon the label of each bottle of Bitters, or box of Pills.

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Others who have emigrated to that rich and promising portion of our country—men who went out with hope, and confidence of winning a competence from the luxuriance of the soil; or who carried to the country of our settlements the mercantile or mechanical experience won in the crowded cities and towns of the old States, have either returned with shattered constitutions and depressed spirits, or they remain in their homes, dragging out a weary life; at last